

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # C 15-2010-0081
ROW # 10465222

TP- 0216010517 /

**CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE**

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 2846 San Gabriel St

LEGAL DESCRIPTION: Subdivision – Byrnes James

Lot(s) 15 Block 2 Outlot 71 Division D

We Josh Rash and Kristin Etter on behalf of ourselves affirm that on July 6, 2010, hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

our duplex into a single family residence (SF-3) with a detached secondary apartment. Specifically, we are seeking a variance to allow us to maintain and remodel the current structure on the back of the lot, which is a top-bottom duplex, into a detached garage with a secondary apartment on the top. In addition, we are going to erect a single family residence on the front of the lot.

lot size 7,000 -> 6,500

This property is in a SF-3 district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because it prevents us from being able to maintain our current structure. A reasonable use for our lot is to preserve the current structure and convert the bottom into a garage while maintaining the habitable space above. Currently, a secondary apartment is allowable city-wide on lots that are 7000 square feet. Thus, because our lot is 6500 square feet, we are 500 square feet short from being able to keep our back structure as a secondary apartment which is a reasonable use for our property.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that the location of the structure in relation to lot configuration lends itself into becoming a detached structure to compliment a single family residence in the front. Specifically, the current structure is set back 93.5 feet from the front property pin and 11 feet from the back property pin. Additionally, because our property has alley access, the current structure is perfectly positioned to be converted into a detached garage. In terms of physical constraints, because the top is already situated for living, we would like to maintain that use without having to demolish a quality livable space already in place.

(b) The hardship is not general to the area in which the property is located because there are no other lots in our area that only have a back structure. Our neighborhood is comprised of large multi-family structures, commercial buildings and single family residences, many with detached secondary apartments and/or structures in the rear. Therefore, our property is one of the only properties in the area with a single structure on the back of lot.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located. Our requested variance will not alter the character of the area adjacent to the property because a single family residence with a secondary apartment backs up to our property in the alley way and is prevalent throughout our neighborhood. In addition, our requested variance will not impair the use of the adjacent conforming properties because our lot is abutted by commercial, multi family and many single family structures with secondary apartments. Thus, erecting a single family residence and maintaining the current structure as a detached garage and secondary apartment above fits into the character of our diverse neighborhood. Finally, the requested variance will not impair the purpose of the zoning regulations of the zoning district in which our property is

located because we are seeking to convert an existing non-compliant duplex into a single family residency. Moreover, our lot size of 6500 square feet is only 500 square feet short of not having to seek a variance for a secondary apartment.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

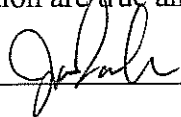
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

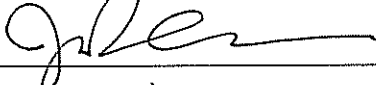
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 2846 San GABRIEL

City, State & Zip Austin, TX 78705

Printed Josh Rash Phone 484-2532 Date 7.6.10

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 2846 SAN GABRIEL

City, State & Zip AUSTIN, TX 78705

Printed JOSH RASH Phone 484-2532 Date 7.6.10

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 500-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (6) Austin Energy approval



Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.



BOARD OF ADJUSTMENTS

ZONING CASE#: C15-2010-0081
 LOCATION: 2846 SAN GABRIEL ST
 GRID: J25/J24
 MANAGER: SUSAN WALKER



-  SUBJECT TRACT
-  ZONING BOUNDARY

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by

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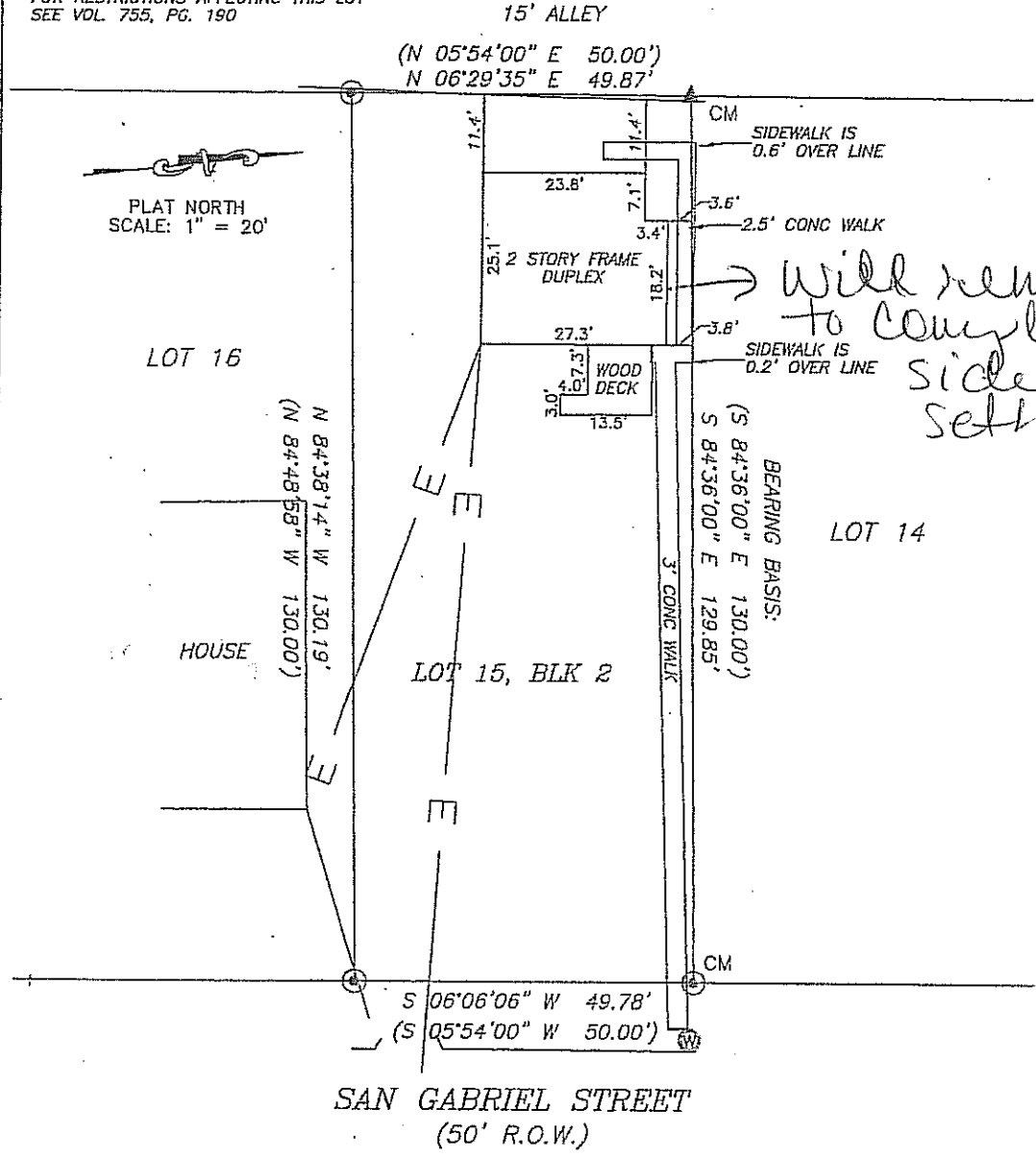
I, THE UNDERSIGNED, H... THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY OF THE PROPERTY LOCATED AT: 2846 SAN GABRIEL STREET, AUSTIN, TEXAS, BEING DESCRIBED AS FOLLOWS: LOT 15, BLOCK 2, JAMES BYRNES SUBDIVISION, OF OUTLOT 71, DIVISION D, CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 72 PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

MAP SYMBOLS:

- E— UTILITY LINE
- ⊙ IRON PIPE FOUND
- ▲ PK NAIL FOUND
- CM CONTROL MONUMENT
- () RECORD DATA FROM PLAT
- R.O.W. RIGHT-OF-WAY

REFERENCE: GF NO. 14663-09-00132
BUYER:
SELLER: GABRIEL LTD., A TEXAS LIMITED PARTNERSHIP
LENDER: AS ASSIGNED
TITLE CO.: NORTH AMERICAN TITLE COMPANY
UNDERWRITER: STEWART TITLE GUARANTY COMPANY

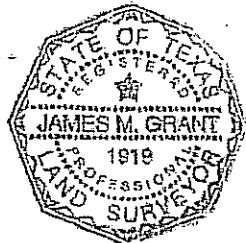
FOR RESTRICTIONS AFFECTING THIS LOT SEE VOL. 755, PG. 190



THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED ABOVE THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS ACCURATE, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY EASEMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON, AND THE SAID PROPERTY ABUTS A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS PLAT IS VALID ONLY FOR THIS TRANSACTION.

HARRIS-GRANT SURVEYING INC. 1700 SOUTH LAMAR BLVD, STE 332, AUSTIN, TEXAS 78704 PH. (512) 444-1781 FAX (512) 444-6123

James M. Grant

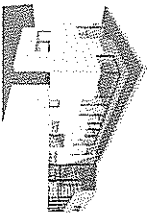


JAMES M. GRANT R.P.L.S. NO. 1919 MARCH 20, 2009
INVOICE NO. 44266 WORK ORDER NO. 42846
COPYRIGHTED HARRIS-GRANT SURVEYING, INC. 2009
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RASH RESIDENCE

2046 SAN GABRIEL STREET, AUSTIN, TEXAS 78705

ARCHITECT: HURT PARTNERS ARCHITECTS



HURT PARTNERS ARCHITECTS

409 West 14th St, Austin, TX 78701

T 512.454.0133

F 512.454.0133

www.hurtpartners.com

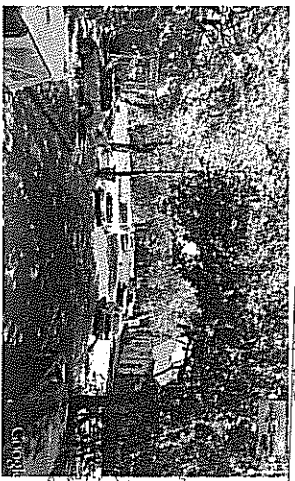
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AERIAL CONTEXT

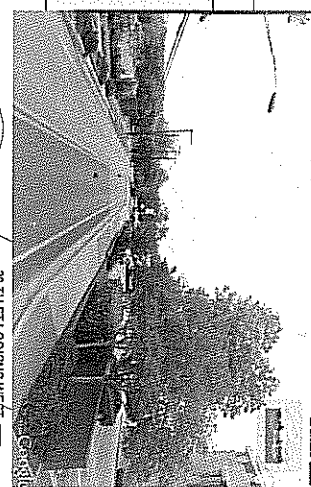
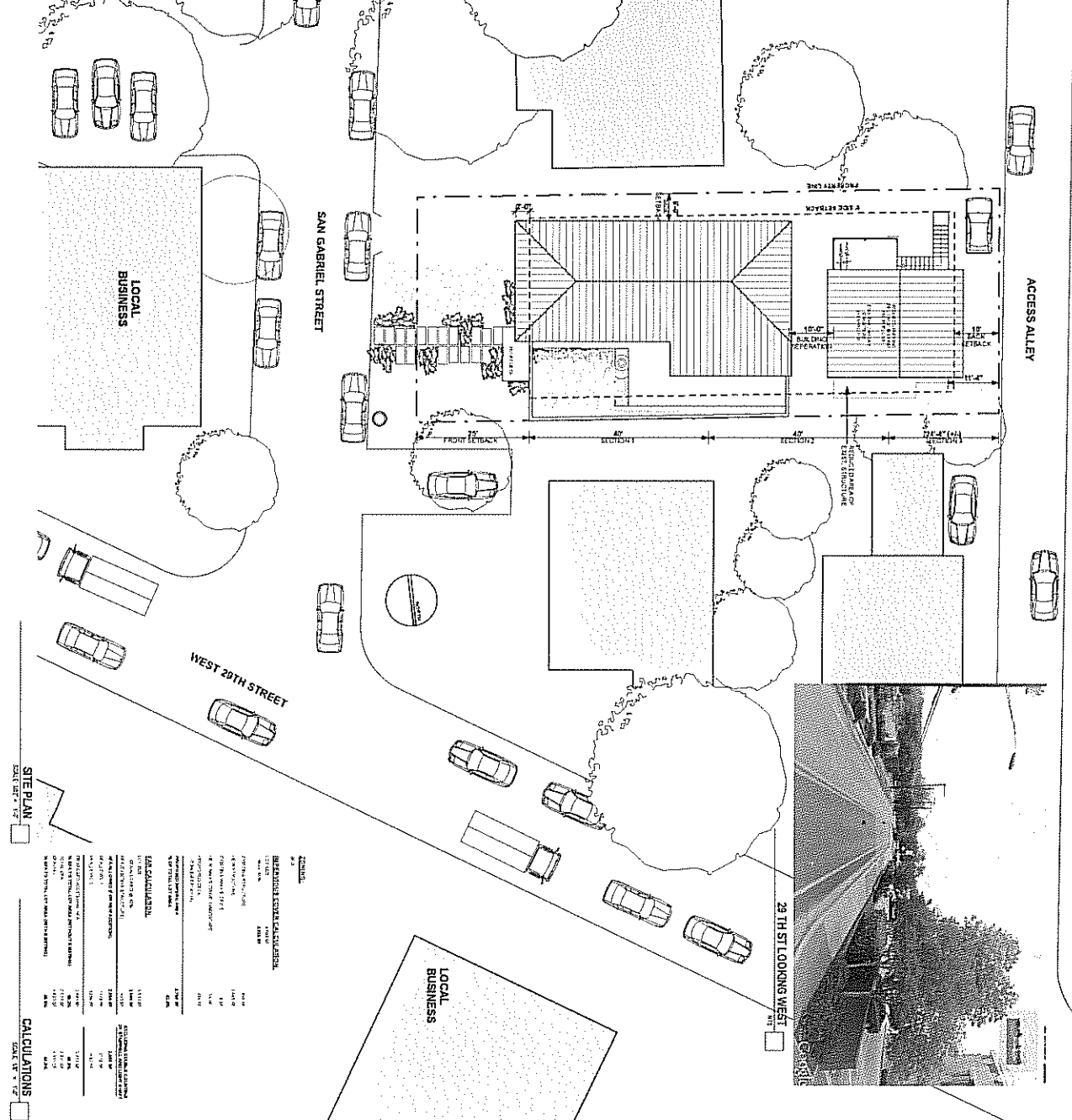


SAN GABRIEL ST LOOKING SOUTH



SAN GABRIEL ST LOOKING NORTH

BUSINESS
 MULTIFAMILY
 SUBJECT PRIORITY



29 TH ST LOOKING WEST

SITE PLAN

CALCULATIONS

RESULTS

MAXIMUM COVER CALCULATION

ITEM	AREA	TYPE
PERMITTED COVER	10,000	PERM
EXISTING COVER	10,000	EXIST
PROPOSED COVER	10,000	PROPOSED
TOTAL COVER	30,000	

PERMITS CALCULATION

ITEM	AREA	TYPE
PERMITTED PERMITS	10,000	PERM
EXISTING PERMITS	10,000	EXIST
PROPOSED PERMITS	10,000	PROPOSED
TOTAL PERMITS	30,000	

SITE PLAN

PROJECT INFORMATION

PROJECT: RASH RESIDENCE

CLIENT: [Name]

DATE: [Date]

ARCHITECT

HURT PARTNERS ARCHITECTS

409 West 14th Street Austin Texas 78701

T: 512.473.0133

F: 512.473.0139

www.hurtpartners.com

HURT PARTNERS ARCHITECTS

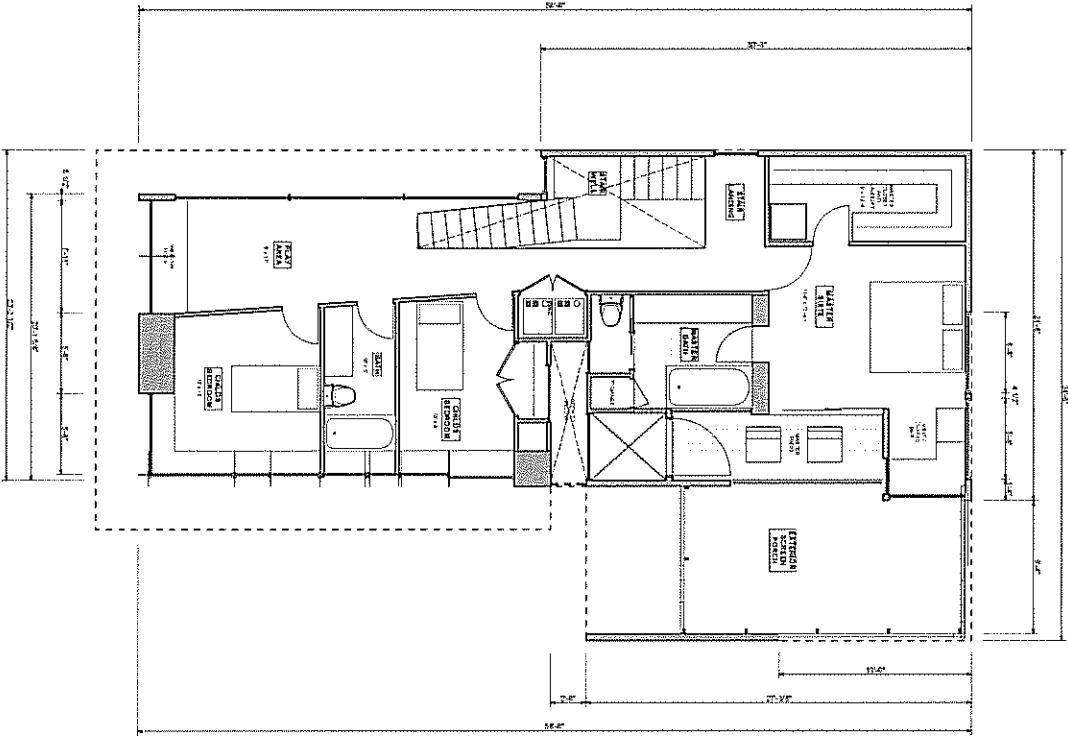
409 West 14th Street Austin Texas 78701

T: 512.473.0133

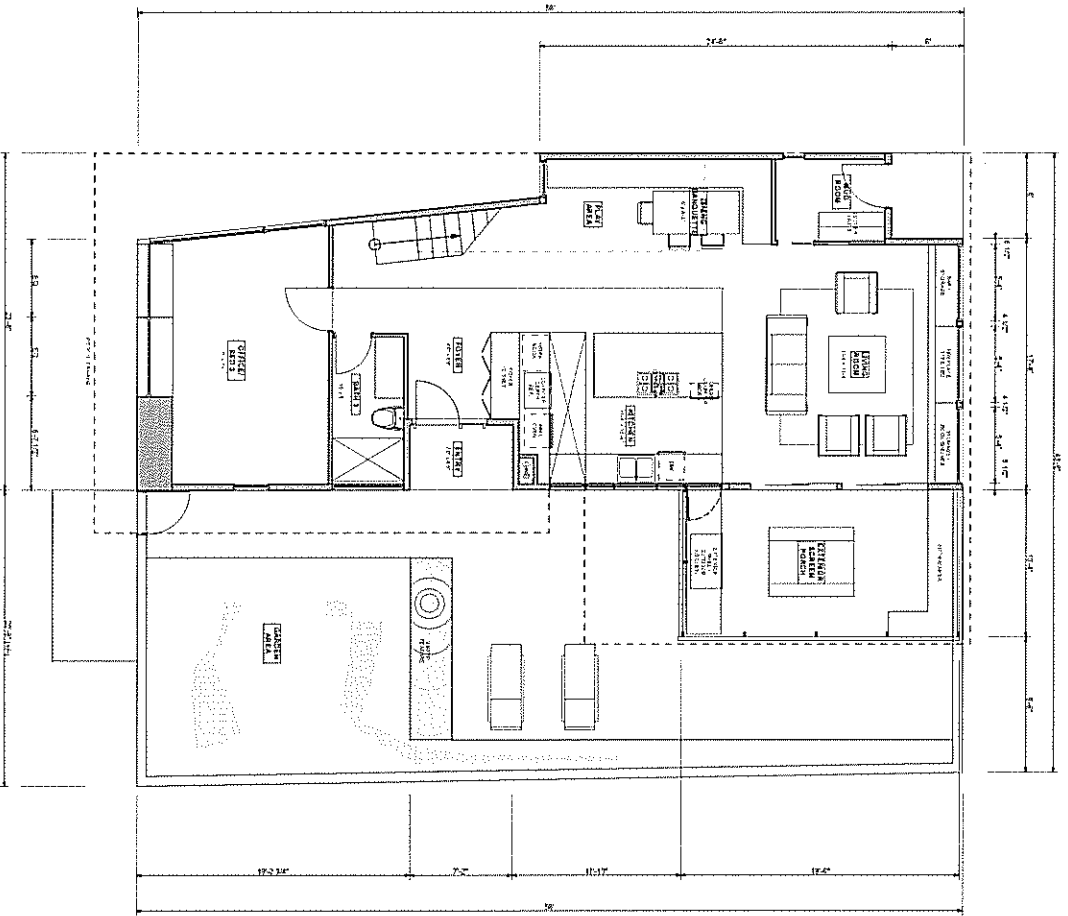
F: 512.473.0139

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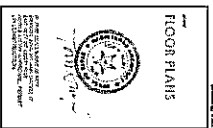
A-101



SECOND FLOOR 2
SCALE: 1/8" = 1'-0"



GROUND FLOOR 1
SCALE: 1/8" = 1'-0"

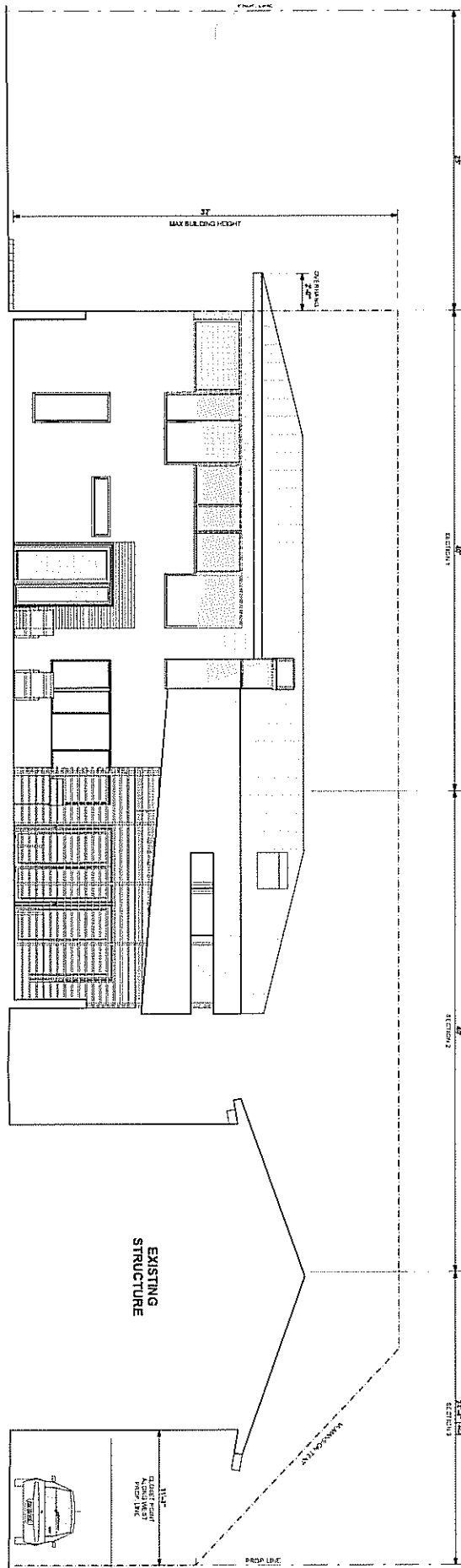


A-102

<p>ARCHITECT HURT PARTNERS ARCHITECTS 1512 W. 14TH STREET AUSTIN, TEXAS 78701 P: 512.473.0133 F: 512.473.0139 WWW.HURTPARTNERS.COM</p>	<p>DATE: 11/11/11</p>
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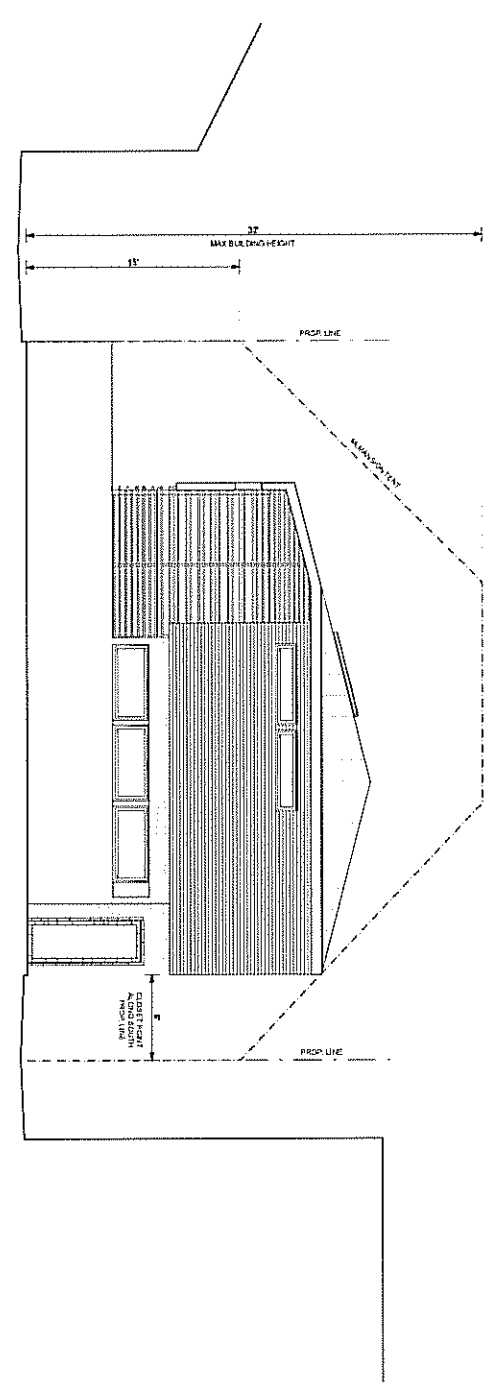
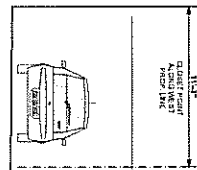
<p>PROJECT NAME RASH RESIDENCE</p>	<p>DATE: 11/11/11</p>
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HURT PARTNERS ARCHITECTS
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EXISTING STRUCTURE

ELEVATION: NORTH
SCALE: 1/8" = 1'-0"



ELEVATION: WEST
SCALE: 1/8" = 1'-0"

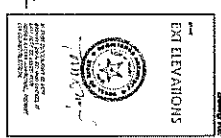


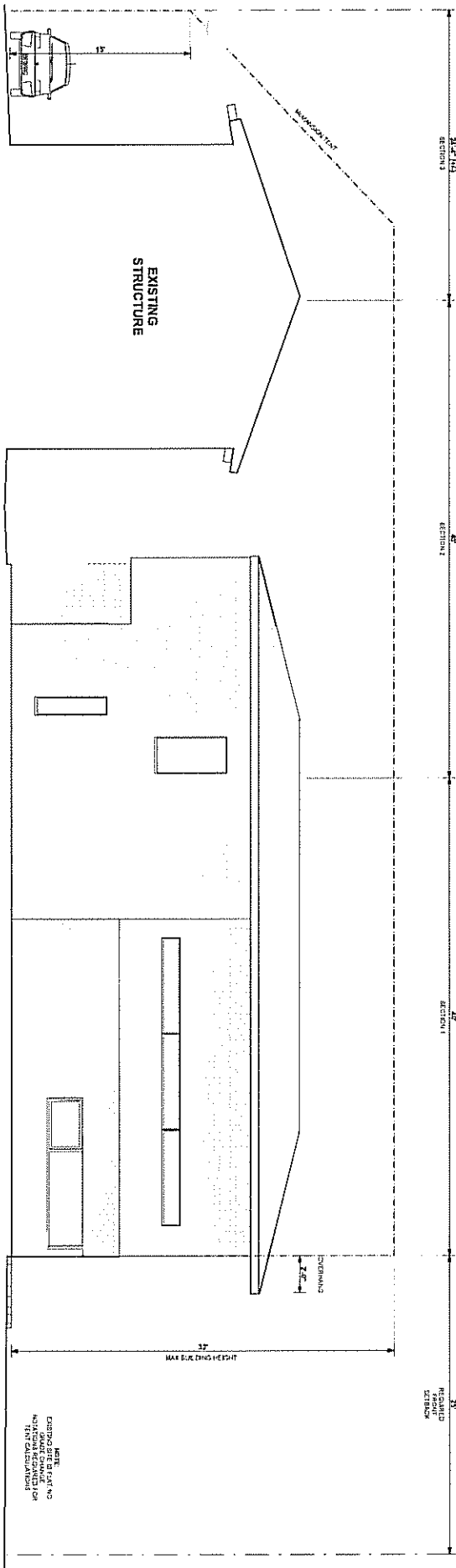
EXHIBIT A
EXISTING ELEVATIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	07/14/13
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

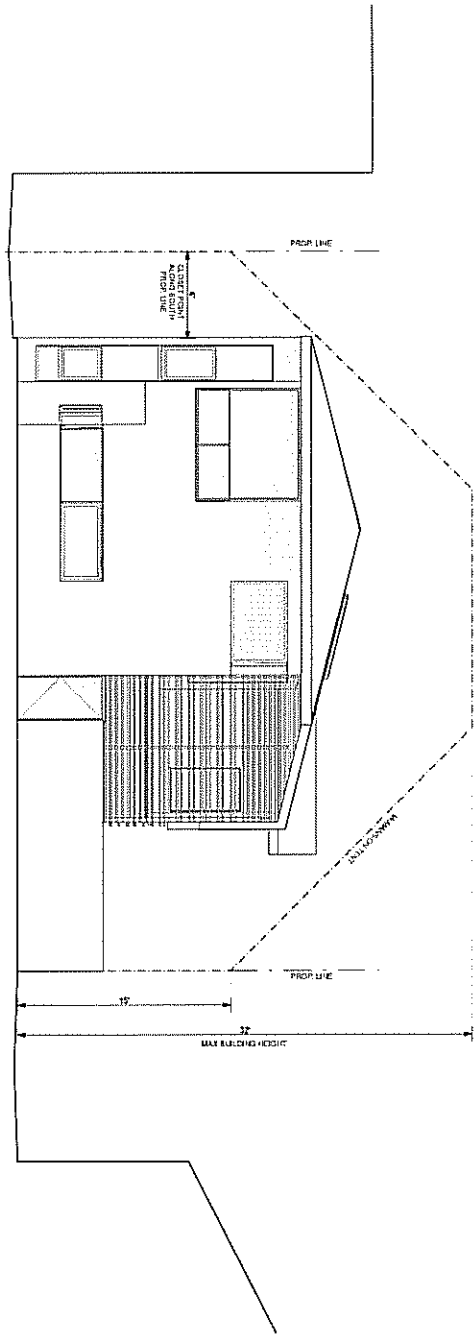
RASH RESIDENCE
 PROJECT NO. 13-001
 409 WEST 14TH STREET, AUSTIN, TEXAS 78701
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 FAX: 512.473.0139
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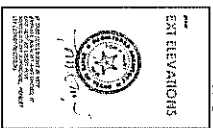
A-201



ELEVATION: SOUTH
SCALE: 1/8" = 1'-0"



ELEVATION: EAST
SCALE: 1/8" = 1'-0"



EXIST ELEVATIONS

NO.	REVISION	DATE
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48	REVISED PER COMMENTS	11/15/18
49	REVISED PER COMMENTS	11/15/18
50	REVISED PER COMMENTS	11/15/18

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